



DECLARATION FOR PATENT APPLICATION

#3

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled CELL CYCLE PROTEINS ASSOCIATED WITH PCNA, COMPOSITIONS AND METHODS OF USE,
the specification of which

(check
one)

☐

is attached hereto.

☒

was filed on October 18, 1999 as

Application Serial No. 09/420,092

and was amended on _____.

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

Direct all telephone calls to Dolly A. Vance at 415-781-1989.

Address all correspondence to:

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ALBRITTON & HERBERT LLP
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San Francisco, California 94111-4187

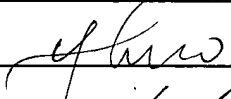
File No. A-68287/DJB/RMS/DAV

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or
first inventor:

Ying Luo

Inventor's signature:



Date:

1/6/2000

Residence:

32 Chester Circle, Los Altos, California 94022

Citizenship:

China

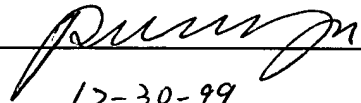
Post Office Address:

32 Chester Circle, Los Altos, California 94022

Full name of second
joint inventor:

PeiWen Yu

Inventor's signature:



Date:

12-30-99

Residence:

19790 Auburn Drive, Cupertino, California 95014

Citizenship:

Taiwan

Post Office Address:

19790 Auburn Drive, Cupertino, California 95014

Full name of third
joint inventor:

Betty Huang

Inventor's signature:

Betty - Chao Bai Huang

Date:

12-28-99

Residence:

771 Douglas Street, San Leandro, California 94577

Citizenship:

United States of America

Post Office Address:

771 Douglas Street, San Leandro, California 94577

Applicant or Patentee: Luo, et al. Attorney's Docket No. A-68287/RMS/DAV

Serial or Patent No.: 09/420,092

Filed or Issued: October 18, 1999

For: CELL CYCLE PROTEINS ASSOCIATED WITH PCNA, COMPOSITIONS AND METHODS OF USE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: RIGEL PHARMACEUTICALS, INC.

ADDRESS OF SMALL BUSINESS CONCERN: 240 East Grand Avenue, South San Francisco, CA 94080

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled, CELL CYCLE PROTEINS ASSOCIATED WITH PCNA, COMPOSITIONS AND METHODS OF USE by inventor(s) Ying Luo and PeiWen Yu and Betty Huang, described in

☐ the specification filed herewith

☒ application serial no. 09/420,092, filed October 18, 1999

☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____

ADDRESS: _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Brian C. Cunningham

TITLE IN ORGANIZATION Sr. Vice President, COO & CEO

ADDRESS OF PERSON SIGNING 240 East Grand Avenue
South San Francisco, CA 94080

SIGNATURE

Brian C. Cunningham

DATE 12/28/99